

JUN 23 1993

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM DOCKET NO. 93-41
	)	
TRIAD FAMILY NETWORK, INC.	)	File No. BPED-910227MD
	)	
For a Construction Permit for a	)	
New Noncommercial Educational	)	
Station on Channel 207C3 at	)	
Winston-Salem, North Carolina	)	
	)	
POSITIVE ALTERNATIVE RADIO, INC.	)	File No. BPED-911119MC
	)	
For Construction Permit for a	)	
New Noncommercial Educational	)	
Station on Channel 207A at	)	
Asheboro, North Carolina	)	

To: Administrative Law Judge  
Joseph P. Gonzalez

**MASS MEDIA BUREAU'S COMMENTS IN SUPPORT OF  
MOTION FOR SUMMARY DECISION**

1. On June 9, 1993, Positive Alternative Radio, Inc. ("Radio") filed a motion for summary decision of the financial qualifications issues specified against it by Order, FCC 93M-267, released May 17, 1993. The Mass Media Bureau submits the following comments in support of Radio's motion.

2. The financial qualifications issues were specified because substantial and material questions were raised as to whether Radio presently has sufficient financial resources available to simultaneously construct and operate all of its proposed facilities, and whether Radio was financially qualified at the time it certified as to its financial qualifications. Specifically, Triad Family Network, Inc. demonstrated in its

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April 8, 1993, petition to enlarge that in addition to the application for Asheboro, Radio's principals possessed at the time of certification nine unbuilt construction permits and four additional applications for broadcast facilities. Radio's requirement to simultaneously provide funding for the multiple applications constituted a prima facie basis for the enlargement of issues on financial grounds. It is well established that.

5. To meet these costs, Radio demonstrates the current availability of \$796,164.91, principally from a credit line from Patrick Henry National Bank, and also from funds in banks for construction and operation of the facilities. (Exhibits J, K and L.) Thus, there is a cushion of more than \$100,000.<sup>2</sup> Accordingly, it is clear that Radio is currently financially qualified.

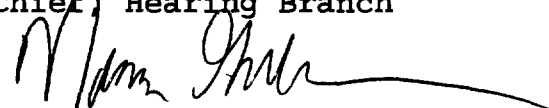
6. Radio also demonstrates that it was financially qualified at the time of certification. To do so, Radio shows that as of the date of the filing of the Asheboro application on November 19, 1991, the funds then needed totaled \$792,845

(Exhibits G and H.) Each of the two balance sheets shows liquid assets, substantial nonliquid assets and a net worth in excess of \$12,000,000. In assessing the Bakers' financial qualifications, the Bureau has assumed that there are no liquid assets.<sup>3</sup> The Bakers' total assets on both balance sheets exceed \$14,500,000. The amount needed as of certification was \$792,845. Thus, the total assets are more than 18 times the amount needed. It is well established that nonliquid assets several times the value of the cash which such assets are relied upon to yield may be used to provide reasonable assurance of the ability to obtain the ~~required funds~~. See Paul Life Educational Foundation of Baker

determination at the hearing. Accordingly, summary decision in Radio's favor on all issues is warranted. Big Country Radio, Inc., 50 FCC 2d 967 (Rev. Bd. 1975); New Broadcasting Corporation, 44 FCC 2d 386 (Rev. Bd. 1973); Section 1.251 of the Commission's Rules.

Respectfully submitted,  
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June 23, 1993

**CERTIFICATE OF SERVICE**

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certify that I have, on this 23rd day of June 1993, sent by First Class mail, U.S. Government frank, copies of the foregoing **"Mass Media Bureau's Comments on Motion to Enlarge Issues"** to:

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